

AMENDMENT NO. _____

Signature of Sponsor

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Date _____

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Comm. Amdt. _____

AMEND Senate Bill No. _____ House Bill No. 904

by deleting the amendatory language of Section 1 in its entirety and substituting instead the following:

(a)(1) As used in this part "outdoor advertising sign" means any rigidly assembled sign, display, or device permanently affixed to the ground or permanently attached to a building or other inherently permanent structure constituting, or used for the display of commercial or other advertisement to the public.

(2) Each municipality shall establish advertising zones and regulate excessive and confusing sign displays which do not relate to the premises on which they are located; to eliminate the hazards to pedestrians and motorist brought about by distracting sign displays; to preserve and improve the appearance of municipalities as places in which to live and work and to protect the public health, safety and general welfare of the community.

(3) The local legislative body shall divide the municipality into districts of such number, shape and area as may be deemed best suited to carry out the purposes of this act. Within such district(s) it shall regulate and restrict the erection, construction, reconstruction, alteration, repair or use of sign displays. All such regulations shall be uniform for each class or kind of sign throughout each district, but the regulations in one district may differ from those in other districts. The local legislative body may regulate the location, height, bulk, number and size of advertising signs and displays. Such regulations shall be made pursuant to reasonable consideration of the character of each

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city or town and its peculiar suitability for particular uses, and with a view to promoting desirable living conditions and the sustained stability of neighborhoods.

(4) Before enacting or amending any advertising zone(s), the local legislative authority, or its designee, shall hold a public hearing thereon, which shall be advertised and conducted, after not less than fifteen (15) days notice of the time and place of such hearing shall have been given in a newspaper having general circulation in the affected area.

(5) Special advertising zones shall be established in any area containing a school or playground used primarily by persons under eighteen (18) years of age.

(A) Only those outdoor advertising signs, which are either signs designating the name of the owner or occupant of the premises upon which such signs are placed, or identifying such premises; or signs advertising goods manufactured or produced or services rendered on the premises upon which such signs are placed shall be permitted. The following signs shall be prohibited:

i. Any sign identifying a use, facility or service which is not located on the premises.

ii. Any sign identifying a product which is not produced, sold or manufactured on the premises.

iii. Any sign which advertises or otherwise directs attention to a product, service or activity, event, person, institution or business which

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may or may not be identified by a brand name and which occurs or is generally conducted, sold, manufactured, produced or offered elsewhere than on the premises where such sign is located.

(B) The following types of signs are exempt from the provisions of this part.

i. Any sign used for the communication of a non-commercial message.

ii. Signs located within malls, courts, arcades, porches, patios and similar areas where such signs are not visible from any part on the boundary of the premises.

iii. Signs designating the premises for sale, rent or lease.

iv. Signs on vehicles regulated by the city/municipality that provide public transportation.

(C) Nothing in this part shall relieve any party from the requirements to obtain any or all permits otherwise required by county, city, municipality, or local government ordinance or regulation(s). The requirements of this part shall be in addition to existing sign controls now in effect, and shall prevail in the event of any conflict.

(D) Any outdoor advertising sign, in violation of this part, shall be disposed of within a reasonable time by the owner, not to exceed 90 days. If the

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owner fails to act expeditiously, any resident of the county or municipality may petition the chancery court for abatement of the violation. The county or municipality shall dispose of the sign found to be in violation at the expense of the owner of the property on which the advertising is displayed and the owner of the outdoor advertising, who shall be jointly liable for such cost.